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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/055,407	01/23/2002	David A. Fertell	3361-011773	7264

7590 10/07/2005

Webb Ziesenheim Logsdon Orkin & Hanson, P.C.
Suite 700
436 Seventh Avenue
Pittsburgh, PA 15219

EXAMINER

LEZAK, ARRIENNE M

ART UNIT	PAPER NUMBER
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2143

DATE MAILED: 10/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/055,407

Applicant(s)

FERTELL ET AL.

Examiner

Arrienne M. Lezak

Art Unit

2143

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over extensive consideration of US Patent Pub. US 2002/0169961 A1 to Stockwell.

3. Regarding Claims 1, 13, 14 & 22, Stockwell discloses a method for controlling computer network access comprising the steps of:

(a) initiating at a client computer a [first] communication session at a [first] network address, (Col. 5, lines 17-67 & Col. 6, lines 1-58);

(b) receiving at the client computer via the [first] communication session a [second] network address, (Fig. 3; Col. 5, lines 17-67; Col. 6, lines 1-58; & Col. 11, lines 6-32), (Examiner notes that Stockwell clearly discloses both the warder authentication means as well as the side effect/redirect functionality to alternate machines/proxies & servers within an internal/external network environment wherein it would have been obvious to be (re)directed to several proxy/servers for purposes of increased security and per rule criteria);

(c) initiating at the client computer a [second] communication session at the [second] network address, wherein the [first and second] server

computers are the same server computer, (per pending Claim 14), (Col. 5, lines 17-67; Col. 6, lines 1-58; Col. 7, lines 34-67; Col. 8, lines 1-37; & Col. 11, lines 6-32), (Examiner notes that it would have been obvious to locate the authentication means, (i.e.: warder), anywhere within the network including the server responsible for the initial communication session especially wherein the network comprises a limited number of servers within a limited space, (i.e.: a school));

(d) receiving at the client computer via the [second] communication session an access configuration including a control setting for at least one communication protocol capable of being utilized during a [third] communication session, (Col. 5, lines 17-67; Col. 6, lines 1-58; Col. 7, lines 34-67; Col. 8, lines 1-37; & Col. 11, lines 6-32), (Examiner notes that the ACL lists and queries clearly and obviously determine client computer access to communication protocols);

(e) instantiating on the client computer a process which initiates a [third] communication session at a [third] network address, (Fig. 3; Col. 5, lines 17-67; Col. 6, lines 1-58; Col. 7, lines 34-67; Col. 8, lines 1-37; & Col. 11, lines 6-32); and

(f) in connection with the [third] communication session, controlling the conveyance of data at least one of to and/or from the process instantiated on the client computer based on the control setting for the one communication protocol, (Col. 5, lines 17-67; Col. 6, lines 1-58; Col. 7,

lines 34-67; Col. 8, lines 1-37; Col. 11, lines 6-67; & Col. 12, lines 1-67),
(Examiner notes that client network communication is obviously
determined by the ACL rule set).

4. Though Stockwell clearly teaches a redirection means between multiple entities on multiple networks, Stockwell does not specifically enumerate a first, second and third communication session at a respective network address. Examiner finds that it would have been obvious to one of ordinary skill in the art at the time of invention by Applicant to use any number of multiple servers to perform a task, (i.e.: authentication, access control or information acquisition), as specifically taught by Stockwell which notes motivation in the need for a generalized security policy management system free of performance limitations, (Stockwell, Col. 3, lines 5-15). In other words, within a network system comprising multiple servers and multiple layers of access control, Stockwell teaches secured access throughout the network as implemented on multiple machines wherein it would have been obvious to create multiple communication sessions for added security and improved performance purposes. Thus, Claims 1, 13, 14 & 22 are found to be unpatentable over considerable consideration of the teachings of Stockwell.

5. Regarding Claims 2, 19 & 20, Stockwell is relied upon for those teachings noted herein. Stockwell further teaches access configuration inclusive of a list related to the control setting for the [one] communication protocol, and the conveyance of data via the [third] communication session is controlled based on an entry, (network address/redirect – per pending Claim 20), included in the list, (Fig. 5; Col. 5, lines 17-67; Col. 6, lines 1-58; Col. 7, lines 34-67; Col. 8, lines 1-37; Col. 11, lines 6-67; & Col. 12, lines 1-67),

(Examiner notes that all client network communication is obviously determined by the ACL rule set). Thus, Claims 2, 19 & 20 are found to be unpatentable over considerable consideration of the teachings of Stockwell.

6. Regarding Claim 3, Stockwell is relied upon for those teachings noted herein. Stockwell further teaches wherein the one communication protocol includes one of: World Wide Web (Web); file transfer protocol (FTP); E-mail; News; Chat; Instant Messaging; Telnet; and Peer-to-peer, (Fig. 5; Col. 5, lines 17-67; Col. 6, lines 1-58; Col. 7, lines 34-67; Col. 8, lines 1-37; Col. 11, lines 6-67; & Col. 12, lines 1-67). Thus, Claim 3 is found to be unpatentable over considerable consideration of the teachings of Stockwell.

7. Regarding Claim 4, Stockwell is relied upon for those teachings noted herein. Stockwell further teaches wherein the control setting is one of: unrestricted computer network access (Allow All); no computer network access (Block All); limited computer network access to network addresses included in an allow list (Allow Listed); and unrestricted computer network access except to network addresses included in a block list (Block Listed), (Fig. 5; Col. 1, lines 65-67; Col. 2, lines 1-29; Col. 5, lines 17-67; Col. 6, lines 1-58; Col. 7, lines 34-67; Col. 8, lines 1-37; Col. 11, lines 6-67; & Col. 12, lines 1-67). Thus, Claim 4 is found to be unpatentable over considerable consideration of the teachings of Stockwell.

8. Regarding Claims 5, 6, 16 & 17, Stockwell is relied upon for those teachings noted herein. Stockwell further teaches wherein prior to receipt of the access configuration at the client computer, the control setting for the one communication

protocol is obviously selected from a plurality of different control settings therefor, and each global control setting is obviously selected nonexclusively of any other global control settings, (per pending Claim 17), wherein the access configuration further includes at least one of the following global control settings: access prohibited to conveyed data including a predetermined word or phrase; access prohibited to data of at least one predetermined data type, (Internet cookie – per pending Claim 6), access prohibited to data conveyed during at least one of a predetermined time and day-of-week; and access prohibited based on a rating for a category included with the conveyed data; and step (f) further includes the step of controlling the conveyance of data at least one of: to and/or from the process instantiated on the client computer based on the at least one global control setting, (Fig. 5; Col. 5, lines 17-67; Col. 6, lines 1-58; Col. 7, lines 34-67; Col. 8, lines 1-37; Col. 11, lines 6-67; & Col. 12, lines 1-67), (Examiner notes that the use of a cookie data type would have been obvious within a system like Stockwell which clearly teaches a user authentication functionality, ACL lists and comparison/access means, as a cookie is a well-known means by which data is stored for identification/relation purposes). Thus, Claims 5, 6, 16 & 17 are found to be unpatentable over considerable consideration of the teachings of Stockwell.

9. Regarding Claims 7 & 15, Stockwell is relied upon for those teachings noted herein. Stockwell further teaches including at least one of: after step (b), the step of terminating the [first] communication session; and after step (d), the step of terminating the [second] communication session, (Fig. 5; Col. 5, lines 17-67; Col. 6, lines 1-58; Col. 7, lines 34-67; Col. 8, lines 1-37; Col. 11, lines 6-67; & Col. 12, lines 1-67), (Examiner

notes that it would have been obvious to terminate the communication sessions as new ones are created as Internet communication is well-known to be based upon the creation of paths for the purpose of a particular communication and then closing of the same, (i.e.: for reservation of bandwidth, etc.), unless specific means are available for allowing said path to remain open for bi-directional communication wherein the flow of data relies upon use of the same path). Thus, Claims 7 & 15 are found to be unpatentable over considerable consideration of the teachings of Stockwell.

10. Regarding Claims 8, 18 & 23, Stockwell is relied upon for those teachings noted herein. Stockwell further teaches including the steps of: transmitting from the client computer via the [second] communication session a request to receive another access configuration including a control setting for the one communication protocol; receiving at the client computer via the [second] communication session the other access configuration; and performing step (f) based on the control setting included in the other access configuration, (Fig. 5; Col. 5, lines 17-67; Col. 6, lines 1-58; Col. 7, lines 34-67; Col. 8, lines 1-37; Col. 11, lines 6-67; & Col. 12, lines 1-67), (Examiner notes that Stockwell clearly teaches a variable rule functionality wherein access to any number of multiple protocols would have been obvious to incorporate therein). Thus, Claims 8, 18 & 23 are found to be unpatentable over considerable consideration of the teachings of Stockwell.

11. Regarding Claims 9 & 21, Stockwell is relied upon for those teachings noted herein. Stockwell further teaches wherein step (f) further includes the steps of: determining from the conveyed data the communication protocol thereof; and

determining from the thus determined communication protocol the control setting therefor, (Fig. 5; Col. 5, lines 17-67; Col. 6, lines 1-58; Col. 7, lines 34-67; Col. 8, lines 1-37; Col. 11, lines 6-67; & Col. 12, lines 1-67). Thus, Claims 9 & 21 are found to be unpatentable over considerable consideration of the teachings of Stockwell.

12. Regarding Claim 10, Stockwell is relied upon for those teachings noted herein. Stockwell further teaches including the step of transferring at least part of the conveyed data to the [second] network address via the [second] communication session, (Fig. 5; Col. 5, lines 17-67; Col. 6, lines 1-58; Col. 7, lines 34-67; Col. 8, lines 1-37; Col. 11, lines 6-67; & Col. 12, lines 1-67). Thus, Claim 10 is found to be unpatentable over considerable consideration of the teachings of Stockwell.

13. Regarding Claim 11, Stockwell is relied upon for those teachings noted herein. Stockwell further teaches wherein the transferred data includes at least one of the following: a network address, and a subject of the [third] communication session, (Fig. 5; Col. 5, lines 17-67; Col. 6, lines 1-58; Col. 7, lines 34-67; Col. 8, lines 1-37; Col. 11, lines 6-67; & Col. 12, lines 1-67). Thus, Claim 11 is found to be unpatentable over considerable consideration of the teachings of Stockwell.

14. Regarding Claim 12, Stockwell is relied upon for those teachings noted herein. Stockwell further teaches including the step of transferring with the data a login name received by the client computer during a login procedure by a user thereof, (Fig. 5; Col. 5, lines 17-67; Col. 6, lines 1-58; Col. 7, lines 34-67; Col. 8, lines 1-37; Col. 11, lines 6-67; & Col. 12, lines 1-67). Thus, Claim 12 is found to be unpatentable over considerable consideration of the teachings of Stockwell.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

US Patent US 6,880,089 B1 to Bommareddy.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Arrienne M. Lezak whose telephone number is (571)-272-3916. The examiner can normally be reached on M-F 8:30-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Wiley can be reached on (571)-272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Arrienne M. Lezak
Examiner
Art Unit 2143

AML


DAVID WILEY
SUPERVISORY PATENT EXAMINER
EBC CENTER 2100